

COPY

DANIEL M. PETROCELLI (S.B. #097802)
M. RANDALL OPPENHEIMER (S.B. #77649)
WALLACE M. ALLAN (S.B. #102054)
O'MELVENY & MYERS LLP
1999 Avenue of the Stars, Seventh Floor
Los Angeles, CA 90067-6035
Telephone: (310) 553-6700
Facsimile: (310) 246-6779

Attorneys for Defendants
UNOCAL CORPORATION and UNION OIL
COMPANY OF CALIFORNIA

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

JOHN DOE I, *et al.*,
Plaintiffs,

v.

UNOCAL CORPORATION, *et al.*,
Defendants.

Case No. BC 237980
Case No. BC 237679

**NOTICE OF RULING RE SEPTEMBER
30, 2003 STATUS CONFERENCE**

Phase I Trial Date: December 3, 2003

JOHN ROE III, *et al.*,
Plaintiffs,

v.

UNOCAL CORPORATION, *et al.*,
Defendants.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, on September 30, 2003, at a previously scheduled
Status Conference, the Court ruled as follows:

NOTICE OF RULING

1 1. With regard to Defendants' Ex Parte Application for an Order Issuing Letter
2 of Request to Take Trial Testimony of Expert Zunetta Liddell and to Compel Production
3 of Ms. Liddell's Interview Notebooks, which the Court previously granted, the Court
4 signed the Proposed Order submitted by defendants, subject to the following instructions:
5 counsel for defendants was directed to make certain changes in the Notice of Ruling
6 attached as Exhibit "K" to the Order, as well as certain non-substantive changes to the
7 Order itself, and to file and serve the Order and its Exhibits. Counsel for defendants was
8 also authorized to send the Order, with the changes referred to above, to counsel in
9 England for presentation to the appropriate English authorities.

10

11 2. With regard to the Court's response to the July 8, 2003 letter from the
12 Ministry of Justice in France, counsel for defendants will incorporate into the certified
13 French translation previously submitted to the Court the changes recommended by the
14 Court's translation service. Defendants will then (1) arrange to print the revised translated
15 letter on the Court's letterhead, (2) present the translated letter to the Court for review and
16 signature, and (3) once signed by the Court, transmit the letter and its enclosures to France
17 for further action.

18

19 3. The Court set the following pre-trial schedule for the Phase I alter ego trial:

20

21 • **Wednesday, October 1, 2003, by 4:00 p.m.:** The parties are to exchange
22 lists of pre-trial issues they wish Judge Chaney to address at the October 3,
23 2003 Status Conference

24

25 • **Friday, October 3, 2003, at 2:30 p.m.:** Status Conference

26

27 • **Friday, October 3, 2003:** Defendants' last date to file and serve motion
28 regarding the scope of the Phase I alter ego trial

- **Tuesday, October 7, 2003:** Defendants' last date to notify plaintiffs if they decide that documents previously produced by them in redacted form will be re-produced in unredacted form
- **Monday, October 13, 2003:** Plaintiffs' last date to serve their designations of video testimony they seek to use in the Phase I alter ego trial
- **Tuesday, October 14, 2003:** Defendants' last date to produce unredacted versions of documents previously produced in redacted form, if any such documents are to be produced
- **Tuesday, October 14, 2003:** Plaintiffs' last date to file and serve opposition to defendants' motion regarding the scope of the Phase I alter ego trial
- **Monday, October 20, 2003:** Defendants' last date to file and serve reply in support of their motion regarding the scope of the Phase I alter ego trial
- **Tuesday, October 21, 2003:** Defendants' last date to produce updated documents
- **Thursday, October 23, 2003, at 1:30 p.m.:** Hearing on defendants' motion regarding the scope of the Phase I alter ego trial
- **Monday, November 3, 2003:** Last date for the parties to file and serve the following documents in preparation for the Phase I alter ego trial: (1) motions in limine; (2) objections to video testimony designated on October 13, 2003, and counter-designations of video testimony; (3) exhibit lists; (4)

witness lists; (5) proposed statements of the case; and (6) designations of written deposition testimony

- **Wednesday, November 12, 2003:** Last date to file and serve oppositions to motions in limine
- **Friday, November 14, 2003:** Last date for the parties to file and serve (1) objections to video testimony counter-designated on October 13, 2003; (2) objections to exhibit lists; (3) objections to witness lists; (4) objections to proposed statements of the case; and (5) objections and counter-designations to the written deposition testimony designated on November 3, 2003
- **Monday, November 17, 2003:** Last date to file and serve replies in support of motions in limine
- **Wednesday, November 19, 2003, at 9:30 a.m.:** Hearing on video testimony objections
- **Monday, November 24, 2003, at 10:30 a.m.:** (A) hearing on motions in limine, and (B) Final Pre-Trial Conference; in addition, last date for the parties to file and serve (1) final exhibit lists; (2) final witness lists; (3) proposed statements of the case; (4) jury instructions; and (5) trial briefs
- **Wednesday, December 3, 2003, at 9:00 a.m.:** Trial

1 Dated: October 3, 2003

2 M. RANDALL OPPENHEIMER
3 DANIEL M. PETROCELLI
4 WALLACE M. ALLAN
5 O'MELVENY & MYERS LLP

6 By: Wallace M. Allan
7 Wallace M. Allan
8 Attorneys for Defendants
9 UNOCAL CORPORATION and UNION
10 OIL COMPANY OF CALIFORNIA

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
CC1:635714.1

PROOF OF SERVICE

I, Deborah L. Hodge, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 1999 Avenue of the Stars, 7th Floor, Los Angeles, California 90067. On October 3, 2003, I served the within document(s):

**NOTICE OF RULING RE SEPTEMBER 30, 2003 STATUS
CONFERENCE**

X by transmitting via facsimile machine the document(s) listed above to the fax number(s) set forth below on this date. The outgoing facsimile machine telephone number in this office is (310) 246-6779. The facsimile machines used in this office create a transmission report for each outgoing facsimile transmitted. A copy of the transmission report(s) for the service of this document, properly issued by the facsimile machine(s) that transmitted this document and showing that such transmission was (transmissions were) completed without error, is attached hereto.

X by putting a true and correct copy thereof, together with an unsigned copy of this declaration, in a sealed envelope designated by the carrier, with delivery fees paid or provided for, for delivery the next business day to the person(s) listed above, and placing the envelope for collection today by the overnight courier in accordance with the firm's ordinary business practices. I am readily familiar with this firm's practice for collection and processing of overnight courier correspondence. In the ordinary course of business, such correspondence collected from me would be processed on the same day, with fees thereon fully prepaid, and deposited that day in a box or other facility regularly maintained by Federal Express, which is an express carrier.

X by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

See Attached Service Lists (for parties served and method of service on each)

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on October 3, 2003, at Los Angeles, California.

Deborah L. Hodge

CC1:635522.1

PROOF OF SERVICE